

Owner:	Little Rock Athletic Centers, LLC
Applicant:	Steve Rousseau
Location:	South side of Peckerwood Road
Area:	5.68 Acres
Request:	Rezone from R-2 to AF
Purpose:	Future use by Little Rock Athletic Club
Existing Use:	Single family residence and undeveloped

SURROUNDING LAND USE AND ZONING

North – Little Rock Athletic Center and multifamily development; zoned AF and MF-12

South – Single family residences; zoned R-2

East – Single family residences; zoned R-2

West – Single family residences; zoned R-2

A. PUBLIC WORKS COMMENTS:

No Comments.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route.

C. PUBLIC NOTIFICATION:

All owners of property located within 200 feet of the site and the Piedmont Neighborhood Association were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the River Mountain Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low

Density is for single-family homes at densities no greater than six dwelling units per acre. The applicant has applied for a rezoning from R-2 (Single-Family Residential) to AF (Agriculture Forestry District) to allow for the re-development of this site for recreational and support uses to the Athletic Club.

Master Street Plan:

Peckerwood Road is shown as Local Streets on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

BICYCLE PLAN:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Little Rock Athletic Centers, LLC, owner of the 5.68 acres of property located along the south side of Peckerwood Road (west of Sam Peck Road), is requesting to rezone the property from "R-2" Single Family District to "AF" Agriculture and Forestry District. The rezoning is proposed to allow use of the property by the Little Rock Athletic Center.

The property proposed for rezoning is located along the south side of Peckerwood Road. A single family residence which is a separate ownership separates the property into two (2) portions. The east portion contains a single family residence and undeveloped property. The Little Rock Athletic Center has been using the residence for an office or storage use and has paved an area around the house. Little Rock Athletic Center vehicles have also been parked on this property. The west portion of the overall property is mostly undeveloped. It appears that the athletic center may have used a portion of this property for outdoor recreational use.

The Little Rock Athletic Center main facility is located on the AF zoned property to the north across Peckerwood Road. Single family residences are located to the east, west and south. A multifamily development is located further north along the west side of Sam Peck Road.

The City's Future Land Use Plan designates this property as Residential Low Density. The requested AF zoning to allow recreational and support uses for the existing athletic center does not require an amendment to the plan.

Staff is supportive of the requested AF zoning. Staff views the request as reasonable. The requested AF zoning is for the property owned by the Little Rock Athletic Center. The rezoning will allow the athletic center to use the property for recreational and support uses. To staff's knowledge, the Little Rock Athletic Center has no immediate plan for redevelopment of the property. The main Little Rock Athletic Center facility is located on AF zoned property across Peckerwood Road to the north. In addition to agriculture and forestry operations, the AF zoning allows single family residences and public or private recreational uses. Rezoning the property to AF to allow use by the Athletic Center represents a much better option than a rezoning to C-2 or C-3, zonings which would also allow the recreational use by right. Staff believes the proposed AF zoning will have no adverse impact on the adjacent properties or the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested AF rezoning.

PLANNING COMMISSION ACTION:

(JUNE 12, 2014)

The applicant was present. There was one objector present. Three letters of opposition had been received by staff and forwarded to the Commission. Staff presented the item and a recommendation of approval.

Steve Roussau, representative for the applicant, stated the Athletic Club had been using the property without proper zoning for some time. When they were notified of the violation, they filed for the rezoning. He stated the club wished to continue to use the building for storage and to have parking on the one lot. He said the larger tract (west) would be used for trails and passive outdoor use. He said the Club had no plans for development of the property.

Carrie Simpson, of 7 Sams Cove, spoke in opposition. She said they had checked on the zoning of the abutting property when they bought their home and saw that it was zoned single family. She stated she was concerned that rezoning the property for use by the athletic club could negatively impact her property. She said any development of the western tract by the athletic club would bring those activities closer to her home. She spoke of a lack of communication by the athletic club. Ms. Simpson stated many of her neighbors assumed the rezoning was only for the lot and house being used by the club, not the larger area under consideration. She presented a petition signed by 16 neighborhood home owners in opposition to the rezoning.

Darian Schultz, of 4120 Sam Peck, spoke in opposition. He also stated he bought his home on the assumption that the adjacent property was zoned for and would be developed as single family. He expressed concern that allowing use by the athletic club could negatively impact his property.

In response to a question from Chairman Fountain, Director of Planning Tony Bozynski listed the allowable uses under the AF zoning designation.

The applicant responded that the club wanted to be a good neighbor and not impact the abutting residents.

In response to a question from Commissioner Berry, Mr. Bozynski explained the building setbacks required in AF. He also stated no buffer would typically be required.

Commissioner May asked if tennis courts or basketball court could be constructed right up to the property line. The applicant responded that the club would meet the setback requirements for any development.

Commissioner Nunnley interjected that a future owner of the athletic club property might not be as sensitive to the neighbors' concerns. He stated there were uses allowed in AF, such as the raising of livestock, that are objectionable in this setting.

Mr. Bozynski suggested that the applicant could offer a condition that a fifty foot buffer would be maintained. The applicant stated he would amend his application to provide a fifty foot buffer. Commissioner Nunnley stated was still concerned about raising livestock. The applicant responded that he would amend the application to eliminate raising livestock.

Dana Carney, of the Planning Staff, asked that the applicant clarify that the 50 foot buffer would be on the south and west perimeters of the larger tract and on the south perimeter of the tract occupied by the house and parking lot. The applicant responded affirmatively.

A motion was made to approve the application as amended. The motion was approved by a vote of 9 ayes, 1 no and 1 absent.